

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

WM. C. PLOUFFE, JR.	:	CIVIL ACTION
	:	
v.	:	
	:	
MICHAEL GAMBONE, et al.	:	NO. 11-6390

ORDER

AND NOW, this 20th day of June, 2012, upon consideration of defendants' Motion to Dismiss (Docket No. 18), and the plaintiff's response thereto (Docket No. 27), IT IS HEREBY ORDERED, for the reasons stated in a memorandum of law bearing today's date, that the motion is GRANTED IN PART and DENIED IN PART as follows:

1. The motion is GRANTED as to all claims against defendants Association of Pennsylvania State College & University Faculties ("APSCUF"), Steve Hicks, and Julie Reese with prejudice.

2. The motion is GRANTED as to the Pennsylvania administrative agency law claim (Count 4), the Weingarten claim (Count 6), and the duty of fair representation and fiduciary duty claims (Count 7 and the eighth count in the First Amended Complaint that was mislabeled as Count 10) as against all defendants with prejudice.

3. The motion is DENIED as to the § 1983 claims (Counts 1, 2, 3, and 5) against defendants Gambone, Kremser, Renzema, and Toggia.

The only remaining claims in this lawsuit are the § 1983-based claims against defendants Gambone, Kremser, Renzema, and Toggia.

BY THE COURT:

/s/ Mary A. McLaughlin
MARY A. McLAUGHLIN, J.